

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

RAMON ARAGON, *et al.*,

Defendants.

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM
Section 7: Rio Brazos

Subfile No. CHRB-004-0052

MOTION FOR SUBSTITUTION OF PARTIES

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer and pursuant to Fed. R. Civ. Pro. 25(c) moves the Court to issue its order substituting MICHAEL FONTE and BETH ROMERO for JAMES H. DAVIES in the proceedings, and as grounds states as follows:

1. Defendant James H. Davies conveyed his interest in the property mapped under Subfile CHRB-004-0052 to Michael J. Fonte and Berta J. Romero by deed dated July 14, 2003. Defendant Davies waived service of summons in this proceedings (Doc. No. 6603), but failed to approve the State's proposed Consent Order in this subfile prior to selling his interest in the property. The State intends to forward the State's proposed Consent Order in this subfile, and other related adjudication documents, to Michael J. Fonte and Berta J. Romero following the substitution of parties.

WHEREFORE the State requests the Court to enter its order Substituting Michael Fonte and Beth Romero for Defendant James H. Davies in these proceedings.

Dated: July 14, 2005

Respectfully submitted,

/s/ Ed Newville

EDWARD G. NEWVILLE
Special Assistant Attorney General
Office of State Engineer
P.O. Box 25102
Santa Fe, NM 87504-5102
(505) 867-7444

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above Motion for Substitution of Parties was mailed to following persons on July 14, 2005.

/s/ Ed Newville

Edward G. Newville

DEFENDANTS

Michael Fonte
Beth Romero
8 Belmont court
silver Spring, MD 20910

RIO CHAMA SECTION 7 SERVICE LIST

Special Master Vickie L. Gabin
USDC-DCNM
P.O. Box 2384
Santa Fe, NM 87504-2384

Karla McCall, Data Manager.
1315 Sagebrush Dr. SW
Los Lunas, NM 87031

Bradley S. Bridgewater, Esq.
David W. Gehlert, Esq.
USDOJ-ENRD
999 18th St., Suite 945
Denver, CO 80202

John W. Utton, Esq.
Sheehan, Sheehan & Stelzner PA
P.O. Box 271
Albuquerque, NM 87103-0271

Paula Garcia

NM Acequia Association
607 Cerrillos Road, Suite F
Santa Fe, NM 87505

Benjamin Philips, Esq.
John F. McCarthy, Jr., Esq.
Rebecca Dempsey, Esq.
White, Koch, Kelly & McCarthy PA
P.O. Box 787
Santa Fe, NM 87504-0787

Lester K. Taylor, Esq.
Nordhaus Law Firm LLP
405 Dr. Martin Luther King Ave NE
Albuquerque, NM 87102-3541

Susan Jordan, Esq.
Nordhaus Law Firm, LLP
1239 Paseo de Peralta
Santa Fe, NM 87501

Tessa T. Davidson, Esq.
Davidson Law Firm, LLC
P.O. Box 2240
Corrales, NM 87048

Marcus J. Rael, Jr. Esq.
500 4th Street NW, Suite 200
Albuquerque, NM 87102

Pierre Levy, Esq.
Law Offices of Daniel J. O'Friel Ltd.
P.O. Box 2084
Santa Fe, NM 87504-2084

John P. Hays, Esq.
Cassutt, Hays, & Friedman PA
530-B Harkle Road
Santa Fe, NM 87505

Daniel Cleavinger, Esq.

P.O. Box 2470
Farmington, NM 87499

Ted J. Trujillo, Esq.
P.O. Box 2185
Española, NM 87532-2185

Karen L. Townsend, P.C.
120 East Chaco
Aztec, NM 87410

NM Acequia Commission
Fred Vigil, Chairman
Depart. of Finance & Admin.
Local Government Division
Bataan Memorial Building
Santa Fe, NM 87503

Kurt J. Van Deren, Esq.
Hatch, Allen & Shepherd PA
PO Box 94750
Albuquerque, NM 87199-4750

Gary S. Friedman, Esq.
Cassutt, Hays & Friedman, P.A.
530-B Harkle Road
Santa Fe, NM 87505

Peter B. Shoenfeld, Esq.
P.O. Box 2421
Santa Fe, NM 87504-2421

Ernest L. Padilla, Esq.
Padilla Law Firm, P.A.
P.O. Box 2523
Santa Fe, NM 87504-2523

Jeffrey H. Albright, Esq.
Cynthia A. Loehr, Esq.
Lewis and Roca Jontz Dawe, LLP
201 Third Street NW, Suite 1950
Albuquerque, NM 87103-1027

Frank M. Bond, Esq.
The Simmons Law Firm LLP
P.O. Box 5333
Santa Fe, NM 87502-5333

Walter L. Reardon, Jr., Esq.
3733 Eubank Blvd., NE
Albuquerque, NM 87111-3536